

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
) Case No. 4:05CR258
Plaintiff,)
)
vs) **MEMORANDUM**
) **AND ORDER**
BENJAMIN RODRIGUEZ,)
)
Defendant.)

I have received a submission from Ms. Bunjer's regarding her dealings with the probation officer and the basis for the drug quantity stipulation in the plea agreement. (See filings 40, 41 and 42.) I have also solicited and received, on February 22, 2006, the response of USPO Voss to Ms. Bunjer's submission.

This matter is now ripe for decision, but I want to hear the lawyers orally before I decide whether to adopt the plea agreement and whether to sustain the defendant's objection to the presentence report. Therefore,

IT IS ORDERED that:

1. Attached is USPO Voss' response to Ms. Bunjer's submission which shall be filed in the court file.
2. Sentencing in this case is rescheduled for Thursday, March 9, 2006, at 1:30 p.m. The defendant must, of course, be present.

February 24, 2006

BY THE COURT:

s/Richard G. Kopf
United States District Judge